

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Wildroot Building Site - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject: POLREP #4
Progress
Wildroot Building Site
A23X
Buffalo, NY
Latitude: 42.9016674 Longitude: -78.8146296

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Date: 12/8/2014

Reporting Period: November 24 to December 8, 2014

1. Introduction

1.1 Background

Site Number:	A23X	Contract Number:	EP-S3-10-01
D.O. Number:	0072	Action Memo Date:	9/18/2014
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	10/14/2014	Start Date:	9/25/2014
Demob Date:		Completion Date:	
CERCLIS ID:	NYN000200387	RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

Inactive production facility

1.1.2 Site Description

The Wildroot Building Site (Site) includes an approximately 100,000 square foot building located in a mixed use residential and commercial area in the City of Buffalo, New York. The building has been abandoned for over 20 years is in an advanced state of deterioration. The building is a 3 story concrete and brick building that has been abandoned for over 20 years and is in an advanced state of disrepair with missing windows, open doors, and a collapsing roof and many roof leaks. The building and the property are unsecured. Dumping of drums of hazardous substance/waste and friable asbestos are located at the Site.

1.1.2.1 Location

The property is located at 1740 Bailey Avenue, Buffalo, NY (42.901667°N, -78.81463°W) includes an approximately 100,000 square foot building on an approximately 2 acre parcel. The property is located in a mixed use residential and commercial area in the City of Buffalo, New York. The Site is bound by Fay Street to the west, West Shore Avenue to the south and Scheu Park to the north. Bailey Avenue is an elevated roadway to the east. Several mixed use commercial buildings, an active rail-yard, and an automotive/truck recycling business are located within 1000 feet of the Site. Approximately 20 residences are located within 600 feet of the Site and an elementary school is located approximately 1200 feet from the site.

1.1.2.2 Description of Threat

The building is in disrepair with evidence of deteriorated structural integrity both inside (roof leaks) and outside (crumbling brick facade). The building has been significantly vandalized and much of the accessible metal-building materials have been removed from the structure. There is ongoing dumping of trash inside and outside of the building. The courtyard contains the remnants of an above ground tank farm and several underground tanks (some which appear to be filled with soil and debris). One UST contained approximately one foot of an alcohol-like ignitable liquid. The courtyard is fenced but the integrity of the fencing has been compromised.

There are approximately fifty drums and some smaller containers located primarily inside the 1st floor of the building. Two drums are located outside the building in the front courtyard and have leaked. The drums contain clear and oily liquids and viscous tarry solids. Based upon EPA's on-site hazard characterization (HAZCAT) analyses of the drums and the additional laboratory analysis of 11 composite samples, analytical results indicate that at least one drum has the characteristic of corrosive (a liquid with a pH of 14) which is designated as a characteristic hazardous waste. In addition, the samples from the drums contained CERCLA hazardous substances including benzene, toluene, ethyl-benzene, and xylenes naphthalene, methyl-naphthalene, 1,1 biphenyl, lead, and other heavy metals. These results suggest the drums contain adulterated waste oils abandoned on the Site.

There is friable asbestos containing material (ACM) located throughout the building and released outside the building. Inside the building there is approximately 1500 linear feet of degraded friable asbestos containing pipe insulation. Some of the insulation is attached to the piping in a deteriorated condition and in many places the insulation has fallen to the floor below the piping. There is friable asbestos on piping located near open windows. There are damaged bags of friable asbestos containing building materials abandoned at the Site. Approximately 30 cubic yards of friable asbestos materials are located on the Site.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection

EPA performed an initial walk through at the Site on May 20, 2014 with representatives from NYSDEC and building inspectors for the City of Buffalo. This initial site walk identified the abandoned drums and friable asbestos containing materials. On June 13, 2014, the New York State Department of Environmental Conservation (NYSDEC) referred the Wildroot Building site to EPA for Comprehensive

Environmental Response, Compensation and Liability Act (CERCLA) removal action consideration. EPA performed a removal assessment of the Site between August 4 and August 13, 2014.

The Wildroot Building Site has been vacant for many years and is currently in a severe state of deterioration. There is a potential exposure to hazardous substance by nearby human populations. The Site is in a residential area, is completely unsecured and has been used by trespassers for vandalism, scrapping of metals, drug use, and dumping. Currently, approximately 50 drums/pails containing hazardous substances and approximately 60 cubic yards of degrading friable asbestos materials are located at the Site. There is an underground tank in the unsecured courtyard that has several hundred gallons of hazardous substance still present and may be accessed by trespassers.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

Subsequent to the Division Director's September 18, 2014, Confirmation of Verbal authorization of a CERCLA removal action at the Site, EPA's Emergency and Rapid Response Services (ERRS) contractor, Kemron Environmental Services, was mobilized to the Site on September 25, 2014. ERRS was then directed to mobilize personnel and equipment on October 14, 2014 to conduct on site operations including drum sampling & consolidation, transferring of underground storage tank contents into drums, and securing the Site against trespassers.

The ERRS contractor demobilized on October 24, 2014. Subcontracts were then awarded for asbestos abatement and asbestos monitoring activities, with abatement activities beginning on November 14, 2014. The transportation and disposal of all drummed waste was initiated & completed on December 4, 2014.

2.1.2 Response Actions to Date

ERRS personnel & equipment were mobilized to the Site on October 14, 2014. During this initial phase of removal operations, ERRS completed the staging & consolidation of drums and the sampling & bulking of their contents for off-site transportation & disposal (T&D). ERRS also completed the following: transferred UST liquids into drums and sampled their contents for T&D, secured the Site to prevent trespassing (i.e. repair fencing, secure 1st floor windows & doors), and completed the T&D of 60 cubic yards of non-hazardous debris including empty drums generated during the drum consolidation process.

On October 15, 2014, the New York State Department of Labor (DOL) approved the Variance petition and the waiver of fees for asbestos abatement activities to be performed under 12 NYCCRR 15 at the Site. ERRS has solicited request-for-quotations (RFQs) to asbestos abatement subcontractors and asbestos monitoring subcontractors for work to be performed at the Site in accordance with 12 NYCCRR 15. As part of the RFQ process, pre-bid tours of the Site were conducted with asbestos abatement subcontractors on October 22, 2014, and with asbestos monitoring subcontractors on October 23, 2014.

On November 13, 2014 the asbestos abatement subcontractor and the monitoring subcontractor were mobilized to the site. ERRS contractor remobilized RM to Site on November 12, 2014 to coordinate the asbestos abatement and monitoring subcontractor, and the shipment of drummed waste that is stored inside the building.

The abatement subcontractor has provided temporary utilities to the site, a personnel decontamination shower trailer and secured covered waste storage on November 14 and 17, 2014. The monitoring subcontractor is providing on-site air sampling and full time monitoring of all asbestos activities to provide compliance oversight with the 12 NYCCRR 15 and the approved variance.

Due to heavy snowfall, asbestos abatement activities were shut-down November 18-21, 2014. Asbestos

abatement were resumed on November 24, 2014. The transportation and disposal of drummed waste, originally scheduled for November 21, was also rescheduled due to the heavy snowfall.

During the week of December 1, 2014 the following activities were completed:

- On December 1, 2014, the NYS DOL approved an amendment to the variance for overhead pipe insulation removal. The amendment allows for bulk removal of insulation under wet conditions being placed directly in bags for disposal.
- The asbestos abatement subcontractor has removed all the bagged asbestos that was on the 1st floor and 2nd floors, all the loose asbestos debris throughout the building has been collected & bagged, and the boiler duct asbestos insulation has been removed & bagged. All bagged asbestos is awaiting disposal.
- On December 5, 2014, a NYS DOL inspector was on-site and found no violations with NYS DOL regulated asbestos abatement activities.
- On December 4, 2014, the 25 drums of consolidated/repackaged waste were shipped to a CERCLA approved off-site TSDF.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

EPA learned that the owner of the property had died in 2010. There was a will that named an executor for the property. The will has never been probated. And the exact legal standing of the property is uncertain. The executor did allow EPA access to perform the Removal Assessment and Removal Action(s). There have been no creditable information obtained that would provide information on entities who contributed to the conditions found at the Site.

2.1.4 Progress Metrics

Waste Stream	Medium	Quantity	Disposal
Non-hazardous, non-regulated waste oil and water	Liquid	9 drums	TSDF Cemtron Corporation, Avon, Ohio.
Non-hazardous, non-regulated	Solids	1 drums	TSDF Cemtron Corporation, Avon, Ohio
Non-hazardous, non-regulated	Liquid	2 drums	TSDF Cemtron Corporation, Avon, Ohio
RW, UN1993, Waste Flammable Liquid - n.o.s., 3, PGII	Liquid	12 drums	TSDF Cemtron Corporation, Avon, Ohio
RW, NA3007, Hazardous waste solid, n.o.s., 9, PGIII (lead)	Solids	1 drums	TSDF Cemtron Corporation, Avon, Ohio
Asbestos	Solids	60 CY	TBD

2.2 Planning Section

2.2.1 Anticipated Activities

Asbestos abatement activities will continue until complete. A certified asbestos monitor is on-site during the performance of asbestos abatement activities, and air monitoring is being performed to ensure compliance with all applicable state and federal regulations.

2.2.1.1 Planned Response Activities

Asbestos abatement and abatement monitoring subcontractors working on site. The removal of all overhead pipe insulation containing asbestos is ongoing and planned for completion during December 2014.

2.2.1.2 Next Steps

Upon completion of the remaining asbestos abatement activities, the Site will be secured and ERRS demobilized.

2.2.2 Issues

None

2.3 Logistics Section

No information available at this time.

2.4 Finance Section

2.4.1 Narrative

Due to adverse weather conditions, and delays with the NYS DOL asbestos abatement variance proceedings, \$40,000 in extramural funding has been transferred to the ERRS contract from the RST contract (not utilized during this removal action). The \$40,000 has been transferred from the \$50,000 in extramural funding originally provided for RST in the Division Director's Verbal Authorization of funding on September 18, 2014.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$240,000.00	\$190,000.00	\$50,000.00	20.83%
RST	\$10,000.00	\$0.00	\$10,000.00	100.00%
Intramural Costs				
USEPA - Direct	\$0.00	\$25,000.00	(\$25,000.00)	0.00%
Total Site Costs	\$250,000.00	\$215,000.00	\$35,000.00	14.00%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Other Command Staff

No information available at this time.

3. Participating Entities

No information available at this time.

4. Personnel On Site

No information available at this time.

5. Definition of Terms

No information available at this time.

6. Additional sources of information

No information available at this time.

7. Situational Reference Materials

No information available at this time.